

IFW

I hereby certify that this *Information Disclosure Statement* is being deposited on August 2, 2005, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Customer Number 24024

Typed or printed name of person signing this certificate: Patrice Simpson

Signed: *Patrice Simpson*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Henkin, et al.)	Examiner: Young J. Kim
)	
Serial No.:	10/617,979)	Art Unit: 1637
)	
Filed:	July 11, 2003)	Confirmation No.: 8217
)	
For:	IN VITRO TRANSCRIPTION ASSAY FOR T BOX ANTITERMINATION SYSTEM)	Attorney Docket No.: 22727/04130
)	

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Transmitted herewith are the following:

- 1) Supplemental Information Disclosure Statement and Form 1449 (5 pages);
- 2) 7 references (56 pages); and
- 3) Return receipt postcard.

It is believed that no further fee is required relating to the filing of this Information Disclosure Statement. If any fees are due or any overpayments have been made please charge or credit our Deposit Account No. 03-0172 accordingly.

Date: *August 2, 2005*

Respectfully submitted,

Diane H. Dobrea

Diane H. Dobrea, Reg. No. 48,578
(216) 622-8485
Customer Number 24024



I hereby certify that this *Information Disclosure Statement* is being deposited on August 2, 2005, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Typed or printed name of person signing this certificate: Patrice Simpson

Signed: _____

Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Henkin, et al.)	Examiner: Young J. Kim
)	
Serial No.:	10/617,979)	Art Unit: 1637
)	
Filed:	July 11, 2003)	Confirmation No.: 8217
)	
For:	IN VITRO TRANSCRIPTION ASSAY)	
	FOR T BOX ANTITERMINATION)	Attorney Docket No.: 22727/04130
	SYSTEM)	

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

FOREIGN LANGUAGE DOCUMENTS



In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version of that portion of the Communication indicating the

degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

CERTIFICATION AND FEE PAYMENT INFORMATION

- ☒ The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
- ☐ The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
 - ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
 - ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

☐ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

- ☐ A check is attached in the amount of \$_____ as required under 37 § 1.17(p).
☐ The patent office is hereby authorized to charge the amount of \$_____ and any related fee to **Deposit Account No. 030172**.

☐ The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

- ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

AND, the fee is being paid in the following manner:

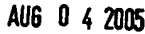
- ☐ A check is attached in the amount of \$_____ as required under 37 § 1.17(p).
☐ The patent office is hereby authorized to charge the amount of \$_____ and any related fee to **Deposit Account No. 030172**.
☒ **Although no fees are believed to be due, please charge any fee deficiencies and credit any overpayments to Deposit Account No. 03-0172.**

Respectfully submitted,

Date: August 2, 2005

By: _____

Diane H. Dobrea, Reg. No. 48,578
Customer Number 24024
(216) 622-8485



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Application Number	10/617,979
Filing Date	July 11, 2003
First Named Inventor	Tina Henkin
Art Unit	1637
Examiner Name	Young J. Kim
Attorney Docket Number	22727.04130

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/617,979
		Filing Date	July 11, 2003
		First Named Inventor	Tina Henkin
		Art Unit	1637
		Examiner Name	Young J. Kim
Sheet 2	of 2	Attorney Docket Number	22727.04130

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	International search report for PCT application number PCT/US03/21875.	
	2	GERDEMAN, et al, In vitro structure-function studies of teh Bacillus subtilis tyrS mRNA antiterminator: evidence, Nucleic Acids Research, Vol 30, No 4, pp 1065-1072, Feb 2002	
	3	YOUSEF, et al., tRNA requirement for glyQA antitermination: A new twist on tRNA, RNA, Vol. 9, pp. 1148-1156, May 2003.	
	4	GRUNDY, et al., tRNA-mediated transcription antitermination in vitro: Codon-anticodon pairing independent of the ribosome, PNAS, Vol 99, No 17, pp 11121-11126, August 2002.	
	5	PUTZER, et al., Transfer RNA-mediated antitermination in vitro, Nucleic Acids Research, Vol. 30, No. 14, pp. 3026-3033, 2002.	
	6	SASERO, et al., A Bacillus subtilis operon cntaining genes of unknown function senses tRNA trp charing and regulates expression, PNAS, Vol 97, No 6, pp 2656-2661, March 2000.	
	7	DELORME, et al., Regulation of Expression of the Lactococcus lactis Histidine Operon, Journal of Bacteriology, Vol. 181, No. 7, pp 2026-2037, April 1999.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.